

Bonnie Lowenthal, Vice Mayor, 1st District
Suja Lowenthal, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Gerrie Schipske, 5th District
Laura Richardson, 6th District
Tonia Reyes Uranga, 7th District
Rae Gabelich, 8th District
Val Lerch, 9th District

Gerald R. Miller, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

**PROCLAMATION PRESENTED FOR
DOMESTIC VIOLENCE AWARENESS MONTH
OCTOBER 2006**

**PRESENTATION TO
THE LIBRARY FOUNDATION
BY OCCIDENTAL PETROLEUM**

**PROCLAMATION PRESENTED FOR
LIGHTS ON AFTERSCHOOL! DAY
OCTOBER 12, 2006**

**PROCLAMATION PRESENTED FOR
FIRE PREVENTION WEEK
OCTOBER 8-14, 2006**

**PROCLAMATION PRESENTED TO
APARTMENT ASSOCIATION,
CALIFORNIA SOUTHERN CITIES**

**PROCLAMATION PRESENTED TO
THE CENTRAL AREA RECOVERY PROGRAM**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARINGS:

1. 06-1038 Recommendation to receive supporting documentation into the record, conclude the hearing and grant the Permit, with or without conditions, or deny the Permit on the application of Queens Seaport Development, Inc., dba Queen Mary, 1126 Queens Highway, for a Permit for Entertainment With Dancing by Patrons. (District 2)
Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

2. 06-1016 Recommendation to receive supporting documentation into the record, conclude the public hearing, find that the area to be vacated is not needed for present or prospective public use, and adopt resolution ordering the vacation of the east-west alley north of Anaheim Street and west of Elm Avenue. (District 2)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

3. 06-1017 Recommendation to receive supporting documentation into the record, conclude the public hearing, find that it is in the public interest to underground utility lines along Willow Street between the westerly City boundary and Atlantic Avenue, and adopt resolution establishing Underground Utility District No. 40. (Districts 6,7)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

4. 06-1039 Recommendation to receive supporting documentation into the record, conclude the public hearing, find that it is in the public interest to underground utility lines along Atlantic Avenue between Seventh Street and Pacific Coast Highway, and adopt resolution establishing Underground Utility District No. 41. (Districts 1,2)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (5 - 27)

5. 06-1044 Recommendation to receive and file report on the HELO Summit on September 28, 2006 through September 30, 2006 in Santa Fe, New Mexico.
- Office or Department:** COUNCILMEMBER TONIA REYES URANGA, SEVENTH DISTRICT
- Suggested Action:** Approve recommendation.
6. 06-1040 Recommendation to authorize City Attorney to submit Compromises and Releases for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$14,000 for permanent disability rating, and separate authority to pay \$1,000 to resolve vocational rehabilitation benefits for claim of Nancy Harold; and authority to pay \$5,725 for claim of Miguel Jimenez, in compliance with the Appeals Board Orders.
- Office or Department:** CITY ATTORNEY
- Suggested Action:** Approve recommendation.
7. 06-1041 Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$36,260, and separate authority to pay \$10,000 to resolve vocational rehabilitation for claim of Michael Bolling; \$98,095 for Stipulations with Request Award and \$38.65 per week for a Life Pension thereafter for claim of Gordan Scott Jackson; and \$6,475 for claim of James Schlobohm, in compliance with the Appeals Board Orders.
- Office or Department:** CITY ATTORNEY
- Suggested Action:** Approve recommendation.
8. 06-1014 Recommendation to refer to City Attorney damage claims received between September 28, 2006 and October 5, 2006.
- Office or Department:** CITY CLERK
- Suggested Action:** Approve recommendation.

9. 06-1045 Recommendation to approve the destruction of records for the Police Department as shown in Attachment 1; and adopt the resolution.
Office or Department: CITY CLERK

Suggested Action: Approve recommendation.
10. 06-1018 Recommendation to authorize City Manager to execute all necessary documents with the U.S. Office of Economic Adjustment to apply for and receive up to \$300,000 in grant funds as reimbursement for base reuse planning for the Schroeder Hall Army Reserve Center located at 3800 E. Willow Street. (District 5)
Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.
11. 06-1019 Recommendation to authorize City Manager to execute an agreement and all necessary documents with Gensler Consulting for professional meeting facilitation services in the amount of \$99,100, for the period of October 15, 2006 to June 15, 2007. (District 5)
Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.
12. 06-1020 Recommendation to authorize City Manager to execute a Lease between the City of Long Beach and the Long Beach Community College District for the short-term use of parking spaces at Veterans Memorial Stadium. (District 5)
Office or Department: COMMUNITY DEVELOPMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.
13. 06-1021 Recommendation to receive and file the Annual Report of the Economic Development Commission for the period ending September 30, 2006. (Citywide)
Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

14. 06-1022 Recommendation to authorize City Manager to execute and amend, as necessary, an agreement with the Fair Housing Foundation to provide services to prevent housing discrimination and address impediments to fair housing choices with an estimated total funding amount of \$85,000. (Citywide)
- Office or Department:** COMMUNITY DEVELOPMENT
- Suggested Action:** Approve recommendation.
15. 06-1023 Recommendation to authorize City Manager to execute a second and third amendment to Agreement No. 29402 and all necessary documents with Los Angeles County in an amount not to exceed \$339,263 for Pandemic Influenza Preparedness and Response; and to increase appropriations in the Health Fund (SR 130) and the Department of Health and Human Services (HE) by \$339,263. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
16. 06-1024 Recommendation to authorize City Manager to execute a first amendment to the agreement with Impact Assessment Inc. (IAI), in the amount of \$50,000 for education and outreach services to reduce the consumption of contaminated fish in connection with the USEPA Palos Verdes Shelf Fish Contamination Project for the term of January 14, 2006 through December 31, 2006. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.
17. 06-1025 Recommendation to authorize City Manager to execute all necessary documents to amend the current three year Contract No. 29420 with Softscape for annual subscription fees for the Homeless Management Information System in an amount not to exceed \$40,000 for August 1, 2006 to July 31, 2007. (Citywide)
- Office or Department:** HEALTH AND HUMAN SERVICES
- Suggested Action:** Approve recommendation.

18. 06-1026 Recommendation to authorize City Manager to execute an eighth amendment to Lease No. 24291 by and between the City of Long Beach and Rancho Los Alamitos Foundation to extend the term through September 30, 2026. (District 3)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
19. 06-1027 Recommendation to authorize City Manager to execute an agreement between the City of Long Beach and the Long Beach Unified School District of Los Angeles County for the Special Education Career Education/Work Experience and Adult Community Transition Programs, to provide students with vocational instruction at Stearns Champions Park for a term of five years through December 31, 2011, with one five-year option to renew. (District 4)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
20. 06-1028 Recommendation to authorize City Manager to execute an agreement with the City of Lakewood to maintain parkway landscape improvements located on the north side of Carson Street, between the San Gabriel River and Los Coyotes Diagonal, for a term of five years through September 30, 2011, with one five-year renewal option. (District 5)
- Office or Department:** PARKS, RECREATION AND MARINE
- Suggested Action:** Approve recommendation.
21. 06-0940 Recommendation to find that all requirements of the final subdivision map have been satisfied and approve the map for Tract No. 61304 located at the northwest corner of The Promenade and First Street. (District 2)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.

22. 06-1029 Recommendation to authorize a public walkways occupancy permit for sidewalk dining at Mykonos Restaurant located at 5374 East Second Street. (District 3)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

23. 06-1030 Recommendation to adopt resolution authorizing City Manager to purchase library shelving and stacks through the contract between the General Services Administration (GSA) and J. K. Miklin, Inc., dba Yamada Enterprises, agent for Montel Aetnastak, Inc. (District 6)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

24. 06-1031 Recommendation to adopt resolution authorizing City Manager to execute a contract with McNeilus Truck and Manufacturing Company for McNeilus parts for City vehicles at an estimated cost of \$250,000 annually, including tax, for a period of one year, with an option to renew for two additional one-year periods at the discretion of the City Manager, and with an option for a 10 percent contingency, if necessary, and if funds are available.

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

25. 06-1032 Recommendation to authorize City Manager to execute a contract with Sully-Miller Contracting Company and All American Asphalt in an estimated amount of \$250,000 and \$120,000, respectively, for the annual supply of asphalt. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

26. INTENTIONALLY LEFT BLANK

27. 06-1046 Recommendation to approve Proclamations presented for Domestic Violence Awareness Month, October 2006; for Lights On Afterschool! Day, October 12, 2006; and to Apartment Association, California Southern Cities.

Office or Department: LEGISLATIVE

Suggested Action: Approve recommendation.

UNFINISHED BUSINESS:

28. 06-0967 Recommendation to declare ordinance amending the Long Beach Municipal Code by amending Section 10.14.020, Subsection A, relating to traffic operations read the first time and laid over to the next regular meeting of the City Council for final reading. (District 8)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

29. 06-1013 Recommendation to request City Attorney to prepare an ordinance amending existing parking codes to:
- a) prohibit parking of any non-motorized or oversize vehicle on residential streets by non-residents of Long Beach, except for guests who obtain a permit;
 - b) prohibit parking of any non-motorized or oversize vehicle on residential streets, between 2:00 A.M. and 5:00 A.M. and by permit at other times;
 - c) prohibit street parking of limousines in a residential zone;
 - d) prohibit the use of a vehicle as a sign in a residential zone. Vehicles with painted on or attached signs to be subject to restrictions regulating the size of the signs and the location of the vehicle;
 - e) require owners of vehicles displaying "for sale" signs and parking such vehicles anywhere but on their own residential property, to obtain a "daily" business license from the City;
 - f) require vehicles parked on any commercial or industrial zoned property for the sole purpose of advertising the vehicle "for sale" to have the written consent of the property owner posted on the vehicle. No vehicle "For Sale" may be parked within 100 feet of any street right of way. (Exception: A business that sells vehicles and that is in conformance with all zoning requirements and development standards and has prior plan approval by the City.)
- Office or Department:** COUNCILWOMAN GERRIE SCHIPSKE, FIFTH DISTRICT; COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT
- Suggested Action:** Approve recommendation.
30. 06-1042 Recommendation to request City Manager to begin the review and approval process for the street name change of Cerritos Drive, and refer the item to the Planning Commission for a public hearing and recommendation to the City Council.
- Office or Department:** COUNCILWOMAN RAE GABELICH, EIGHTH DISTRICT
- Suggested Action:** Approve recommendation.

31. 06-1033 Recommendation to receive and file the application of Catalina Classic Cruises Inc., dba Catalina King, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 200 Aquarium Way Dock 4B, with conditions. (District 2)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
32. 06-1034 Recommendation to receive and file the application of Catalina Classic Cruises Inc., dba Catalina Countess, for a premise-to-premise transfer of an Alcoholic Beverage Control License, at 200 Aquarium Way Dock 4B, with conditions. (District 2)
- Office or Department:** POLICE
- Suggested Action:** Approve recommendation.
33. 06-1035 Recommendation to receive and file the attached Airport activities reports. (District 5)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.
34. 06-1036 Recommendation to adopt the 2006 Job Order Contract Document for Job Order Contracting (JOC);
- Authorize City Manager to execute agreements for a minimum amount of \$50,000 and a maximum amount of \$2,000,000 with New Creation Builders for JOC Contract No. 8 with a weighted average factor of 0.7520, and Athena Engineering, Inc., for JOC Contract No. 9 with a weighted average factor of 0.7310 for a term of one year; and
- Authorize City Manager to execute amendments for each JOC contract to extend the term for two separate periods of one year each and up to \$2,000,000 per extended term. (Citywide)
- Office or Department:** PUBLIC WORKS
- Suggested Action:** Approve recommendation.

35. 06-1012 Recommendation to authorize City Manager to execute agreements for as-needed environmental surveys and certified materials testing and inspection services for Public Works projects with Converse Consultants, Ninyo & Moore, Kleinfelder, and Professional Service Industries, Inc. in an amount not to exceed \$1,200,000 per consultant for a three-year term; and

Authorize City Manager to execute amendments to the agreements, relative to the extension of the term, authorize additional services, if required, within the provisions of the agreements, and adjust the fee schedule of hourly rates for inflation. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

36. 06-1037 Recommendation to authorize City Manager to execute the First Amendment to Contract No. 29448 with Sully-Miller Contracting Company to extend the term of the contract to December 31, 2007, to increase the contract by \$6,000,000 for a total cumulative contract amount of \$14,500,000, and to replace Exhibit "A" with Exhibit "A-1," a listing of the annual revised pricing. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

ORDINANCE:

37. 06-1002 Recommendation to declare ordinance amending the Long Beach Municipal Code Subsection 14.20.210, relating to the downtown newsrack pilot program, read and adopted as read. (Districts 1,2)

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

NEW BUSINESS:

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

38. 06-1051 Recommendation to request City Attorney to draft a resolution in support of civil marriage licenses and any enactments which codify civil marriage equality for all couples residing in California who are citizens of the United States and requests our elected representatives in State and Federal government to act with vigor to develop laws to allow marriage equality for same sex couples, defend same sex civil marriages and protect the fundamental liberties of all families.

Office or Department: COUNCILMEMBER SUJA LOWENTHAL,
SECOND DISTRICT; COUNCILMEMBER
BONNIE LOWENTHAL, FIRST DISTRICT;
COUNCILMEMBER PATRICK O'DONNELL,
FOURTH DISTRICT

Suggested Action: Approve recommendation.

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PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

STANDING COMMITTEE REMINDERS:

Personnel and Civil Services Committee at 9:00 A.M.

Charter Amendment Committee at 4:00 P.M.

HEARING REMINDERS:

October 17, 2006 – Continued hearing for Frisco's Food Services, dba Frisco's Restaurant, 4750 Los Coyotes Diagonal, for a Permit for Entertainment Without Dancing by Patrons. (District 4)

October 24, 2006 – Hearing for Crestmark Entertainment LLC, dba Rocks, 3445 Long Beach Boulevard, for a Permit for Entertainment Without Dancing by Patrons. (District 8)

NOTE:

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at <http://www.longbeach.gov/enotify/default.asp>.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.

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